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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 JAVIER H. GUERRA,

12 Plaintiff,

13 v.

14 A. MARTINEZ,

15 Defendant.
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No. 2:20-CV-0836-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983.

19 A review of the docket reflects that all defendants other than A. Martinez have
20 been dismissed from this action. As to Defendant A. Martinez, summons was returned
21 unexecuted on October 7, 2021. See ECF No. 22. Plaintiff will be directed to show cause in
22 writing why this action should not be dismissed for failure to effect timely service on the sole
23 remaining defendant pursuant to Federal Rule of Civil Procedure 4(m). Plaintiff is cautioned that
24 failure to comply with this order may result in dismissal of the entire action for lack of
25 prosecution. See Local Rule 110.

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1 Accordingly, IT IS HERBY ORDERED that Plaintiff shall show cause in writing
2 within 30 days of the date of this order why the action should not be dismissed for failure to effect
3 timely service of process on the sole remaining defendant A. Martinez.

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5 Dated: February 27, 2023

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE